
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : **CRIMINAL COMPLAINT**

v. :

ANGELO PRISCO, :
MICHAEL VISCONTI, and :
JOHN CAPPELLI : Mag No. 06-3533


I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. Between in or about June 2004 and July 2004 , in the District of New Jersey and elsewhere, the defendants ANGELO PRISCO, MICHAEL VISCONTI, and JOHN CAPPELLI:

SEE ATTACHMENT A

I further state that I am a Special Agent with the State of New Jersey Commission of Investigation, and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page(s) and made a part hereof.



William J. Quandt, Special Agent
State of New Jersey, Commission of Investigation

Sworn to before me and subscribed in my presence,
March 6, 2006, at Newark, New Jersey


HONORABLE MARK FALK
UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer

CONTENTS APPROVED

UNITED STATES ATTORNEY

By: 
Steven D'Aguzzo, AUSA

Date: 3-6-06

Attachment A

Conspired and agreed with each other and with others to obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by extortion, by agreeing and attempting to obtain, the property of another person, namely EM, with the consent of such person, induced by wrongful use of actual and threatened force, violence, and fear, in violation of Title 18 United States Code, Sections 1951(a), (b)(2), & 2.

Attachment B

I, WILLIAM J. QUANDT, am a Special Agent with the State of New Jersey Commission of Investigation who has been deputized as a Special Deputy United States Marshal to work on an Organized Crime Task Force with the Federal Bureau of Investigation duly appointed according to law and acting as such. I am familiar with the facts set forth herein through my personal participation in the investigation, and through oral and written reports from other federal agents and law enforcement officers. Where statements of others are related herein, they are related in substance and part. Since this complaint is being submitted for a limited purpose, I have not set forth each and every fact that I know concerning this investigation. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. On June 2, 2004, defendant JOHN CAPPELLI met with defendant MICHAEL VISCONTI at a restaurant in Edgewater, New Jersey. CAPPELLI, an electrical contractor with a business located in the Bronx, New York, told VISCONTI that one of CAPPELLI's competitors, subsequently identified as EM¹, was attempting to take business away from CAPPELLI through lower bids. CAPPELLI stated that he wanted VISCONTI to talk to EM to ensure that CAPPELLI get the business back. Defendant ANGELO PRISCO subsequently arrived at the restaurant and had a private meeting with CAPPELLI. VISCONTI subsequently told a cooperating witness (hereafter "CW") that he (VISCONTI) wanted the CW to accompany VISCONTI during the approach of EM on behalf of CAPPELLI.

2. On June 4, 2004, defendant VISCONTI informed the CW that the CW and VISCONTI would approach the Brooklyn guy on Monday, June 7, 2004, on behalf of defendant CAPPELLI. The CW understood the reference to the Brooklyn guy to be a reference to EM, the electrical contractor who was competing with CAPPELLI.

3. On June 5, 2004, defendant VISCONTI informed the CW that defendant CAPPELLI provides money to defendant PRISCO and that VISCONTI and the CW were going to approach EM on behalf of CAPPELLI because of the money CAPPELLI pays to PRISCO. During a subsequent conversation on June 5, 2004, PRISCO told the CW that he (PRISCO) was aware that the CW and VISCONTI were handling that thing for the electrician. The CW understood this to be a reference to CAPPELLI.

¹ EM operates an electrical contracting business located in Brooklyn, New York.

4. On June 7, 2004, defendant VISCONTI and the CW traveled from New Jersey to EM's place of business in Brooklyn, New York. VISCONTI told EM to terminate a contract signed by EM to provide electrical service to an outdoor festival, and thereby forgo electrical work that defendant CAPPELLI was also attempting to secure. The CW, who was present when VISCONTI spoke to EM, observed that EM was visibly afraid while VISCONTI was speaking. After leaving EM's place of business, VISCONTI told the CW to tell defendant PRISCO what happened with EM.

5. Between June 7, 2004, and June 24, 2004, EM did not terminate the contract as directed by defendant VISCONTI. On June 24, 2004, VISCONTI told the CW that he (VISCONTI) was sending two guys with the CW to hurt the guy in Brooklyn. The CW understood this to be a reference to EM. Defendant PRISCO subsequently joined the conversation and asked VISCONTI if he (VISCONTI) was taking care of that thing for him. PRISCO made a motion as if he was swinging a baseball bat when he posed the question to VISCONTI, who responded by stating that he (VISCONTI) would handle it. The CW understood this to be a further reference to the plan to assault EM.

6. On July 6, 2004, defendant VISCONTI, while touching the CW on the shoulder and hip, told the CW break the Brooklyn guy up. The CW understood this to be a reference to a plan to assault EM because of EM's refusal to terminate the contract and forgo the electrical work at the outdoor festival in favor of defendant CAPPELLI. VISCONTI further instructed the CW to bring individuals associated with the CW to Brooklyn to assist in the assault of EM, and that the assault had to occur before July 8, 2004, because there was a meeting scheduled for that date regarding the situation with EM.

7. On July 7, 2004, the CW traveled to Brooklyn, New York, to meet EM on behalf of defendants PRISCO, VISCONTI, and CAPPELLI, ostensibly for the purpose of assaulting him and otherwise using actual and threatened force, violence, and fear to induce EM to forgo electrical work in favor of CAPPELLI. Investigative steps were taken in order to provide the CW with a reason to abort the plan to assault EM. The CW subsequently reported the details of the aborted effort to PRISCO, VISCONTI, and CAPPELLI.

8. On July 9, 2004, defendant VISCONTI told defendant CAPPELLI what occurred during the aborted plan to assault EM. CAPPELLI indicated that he was not happy that VISCONTI was unable

to see the Brooklyn guy, but VISCONTI and CAPPELLI nevertheless discussed a payment of \$4,000 by CAPPELLI, who then handed VISCONTI an envelope containing an unknown amount of money. CAPPELLI told VISCONTI to make sure that defendant PRISCO received some of the money. VISCONTI subsequently gave the CW an envelope containing \$2,500 and told the CW to deliver the envelope to PRISCO.

9. On July 10, 2004, the CW met defendant PRISCO and delivered the envelope containing \$2,500 which defendant VISCONTI had instructed the CW to deliver to PRISCO. The CW told PRISCO about the meeting the CW had with VISCONTI and defendant CAPPELLI on July 9, 2004. PRISCO responded that sometimes things do not work out and that CAPPELLI had to understand as much.